

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 11374 01 OF 02 221856Z
ACTION SS-25

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TO SECSTATE WASHDC IMMEDIATE 2014

CONFIDENTIAL SECTION 01 OF 02 MOSCOW 11374

EXDIS

E.O. 11652: GDS
TAGS: PINT, SHUM, UR
SUBJECT: MAY 22 VISIT OF SAKHAROV TO EMBASSY

1. SUMMARY - ANDREI SAKHAROV AND HIS WIFE, ELENA BONNER, CAME TO EMBASSY CONSULAR SECTION AFTERNOON OF MAY 22 TO DELIVER A DECLARATION ON THE ORLOV TRIAL, ADDRESSED TO THE US PRESIDENT, HOUSE AND SENATE, AS WELL AS A LARGE ENVELOPE OF CORRESPONDENCE FOR CONGRESSMAN FASCELL. END SUMMARY.

2. THE STATEMENT REGARDING THE ORLOV TRIAL IS A SIGNED DOCUMENT OF THE MOSCOW HELSINKI MONITORING GROUP. UNOFFICIAL TRANSLATION GIVEN BELOW. MATERIAL ADDRESSED TO CONGRESSMAN FASCELL BEING POUCHED TO EUR/SOV FOR TRANSMITTAL TO CONGRESSMAN'S OFFICE.

3. BOTH SAKHAROV AND HIS WIFE LOOKED WELL, BETTER THAN THE REPORTING OFFICER HAS SEEN THEM IN SEVERAL MONTHS. WHEN CONSOFF ASKED MRS. BONNER ABOUT STRUGGLE WITH POLICEMAN AT THE SCENE OF THE ORLOV TRIAL, MRS. BONNER SMILED AND SAID THAT IT REMINDED HER OF HER EXPERIENCES DURING THE WAR. BOTH SAKHAROV AND HIS WIFE ARE CONVINCED THAT THIS IS THE BEGINNING OF A TIME OF TRIAL FOR THE HUMAN RIGHTS ACTIVISTS

CONFIDENTIAL

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PAGE 02 MOSCOW 11374 01 OF 02 221856Z

LEFT IN THE SOVIET UNION. BOTH EXPECT "ADDITIONAL PROVOCATIONS," AS WELL AS ARRESTS AND POLITICAL TRIALS.

4. UNOFFICIAL TRANSLATION OF DOCUMENTS ON ORLOV TRIAL, WHICH WAS IN ENVELOPE ADDRESSED TO THE US PRESIDENT, THE SENATE AND HOUSE OF REPRESENTATIVES, FOLLOWS:

BEGIN TEXT

MOSCOW ACTION GROUP FOR FULFILLMENT OF THE HELSINKI
ACCORDS.

MAY 18, 1978. DOCUMENT NO. 49

THE TRIAL OF PROF. YURIY ORLOV.

THE TRIAL OF YURIY ORLOV, FOUNDER OF THE HELSINKI GROUP IN
THE SOVIET UNION, WELL-KNOWN PHYSICIST, AND CORRESPONDING
MEMBER OF THE ARMENIAN ACADEMY OF SCIENCES, WAS HELD IN
MOSCOW FROM MAY 15 TO 18.

THE FICTITIOUS NATURE OF THE CASE IS EVIDENT FROM THE FACT
THAT THE AUTHORITIES REQUIRED 15 MONTHS OF PRELIMINARY
IMPRISONMENT OF ORLOV, UNDER CONDITIONS OF STRICTEST
ISOLATION, TO PREPARE FOR THE TRIAL, AND ONLY THREE DAYS
TO EXAMINE THE MATERIALS OF THE INVESTIGATION, WHICH
COMPRISED 58 VOLUMES. THE COURT REQUIRED ONLY A FEW
HOURS TO CONSIDER AND DRAW UP THE SENTENCE, BY WHICH YU. F.
DRLOV RECEIVED THE MAXIMUM PUNISHMENT ACCORDING TO PART I,
ARTICLE 70 OF THE CRIMINAL CODE: SEVEN YEARS OF IMPRISONMENT
IN STRICT-REGIME CAMPS, FOLLOWED BY FIVE YEARS IN EXILE.

THE NOMINALLY OPEN COURT PROCEEDED BEHIND CLOSED DOORS.
ASIDE FROM SPECIALLY SELECTED PERSONS, ONLY ORLOV'S WIFE
AND TWO SONS WERE ADMITTED TO THE COURTROOM. EACH TIME
THEY WERE SUBJECTED TO HUMILIATING SEARCHES -- ORLOV'S WIFE
CONFIDENTIAL

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PAGE 03 MOSCOW 11374 01 OF 02 221856Z

WAS STRIPPED NAKED IN THE PRESENCE OF MEN. ORLOV'S SON
WAS STRUCK ABOUT THE HEAD SEVERAL TIMES. ORLOV'S FRIENDS,
INCLUDING ACADEMICIAN SAKHAROV, WERE NOT ALLOWED INTO THE
COURTROOM.

DURING THE TRIAL THERE WERE A NUMBER OF SEARCHES AND TWO
ARRESTS IN MOSCOW: OF ALEKSANDR PODRABINEK AND OF
IOSIF BEGUN. N. NOGIN, D. LEONT'YEV AND V. KOROTICH WERE
SENTENCED TO 15 DAYS IMPRISONMENT.

DURING THE COURSE OF THE TRIAL THE PROSECUTOR AND JUDGE
CAREFULLY AVOIDED MENTIONING THE FACT THAT THE DOCUMENTS
INCRIMINATING YU. F. ORLOV WERE DOCUMENTS OF THE MOSCOW
HELSINKI GROUP.

THE JUDGE MERELY ESTABLISHED THE FACT OF ORLOV'S PARTICI-
PATION IN COMPILING THE DOCUMENTS AND CUT OFF ALL
ATTEMPTS BY ORLOV AND HIS LAWYER TO ANALYSE THE NATURE OF
THE CONTENTS OF THESE DOCUMENTS, I.E., THE JUDGE FROM THE
BEGINNING CONSIDERED ALL DOCUMENTS TO BE "SLANDEROUS."

MOREOVER, IN VIOLATING THE CONSTITUTIONAL PRINCIPLES OF

OPENNESS (GLASNOST'), THE DOCUMENTS WERE NOT MADE PUBLIC DURING THE COURTROOM SESSION, AND THE JUDGE FORBADE ORLOV AND HIS DEFENSE COUNSEL NOT ONLY TO DESCRIBE THE CONTENT OF THIS OR THAT DOCUMENT, BUT EVEN TO PRONOUNCE THE FULL TITLE OF THE DOCUMENT.

ALL PETITIONS MADE BY ORLOV AND HIS LAWYER DIRECTED AT HIS DEFENSE (APPEARANCES BY DEFENSE WITNESSES, ACQUISITION OF DOCUMENTS, ETC.) WERE DECLINED BY THE JUDGE. ORLOV'S TESTIMONY WAS PERSISTENTLY AND FREQUENTLY INTERRUPTED; THE LAWYER'S QUESTIONS WERE STRUCK FROM THE RECORD BY THE JUDGE.

REALIZING THAT LAWYER YE. S. SHAL'MAN COULD NOT CARRY OUT A
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 MOSCOW 11374 01 OF 02 221856Z

POLITICAL DEFENSE, AT THE END OF THE JUDICIAL INVESTIGATION YU. F. ORLOV EXPRESSED HIS GRATITUDE TO THE LAWYER FOR HIS LEGAL AND MORAL HELP AND DECLINED TO HAVE THE LAWYER

CONFIDENTIAL

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PAGE 01 MOSCOW 11374 02 OF 02 230858Z
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INFO OCT-01 ISO-00 SSO-00 /026 W
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CONFIDENTIAL SECTION 02 OF 02 MOSCOW 11374

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REALIZING THAT LAWYER YE. S. SHAL'MAN COULD NOT CARRY OUT A

POLITICAL DEFENSE, AT THE END OF THE JUDICIAL INVESTIGATION YU. F. ORLOV EXPRESSED HIS GRATITUDE TO THE LAWYER FOR HIS LEGAL AND MORAL HELP AND DECLINED TO HAVE THE LAWYER PARTICIPATE IN THE CONCLUDING STATEMENTS, SAYING THAT HE WOULD GIVE THE SPEECH FOR THE DEFENSE HIMSELF.

HOWEVER, ORLOV'S SPEECH FOR THE DEFENSE WAS INTERRUPTED BY NUMEROUS SHOUTS FROM THE JUDGE AND HOSTILE OUTCRY FROM THE HALL, WHICH WAS FILLED, AS NOTED ABOVE, BY SPECIALLY CHOSEN PEOPLE.

THE JUDGE EVEN INTERRUPTED THE FINAL STATEMENT. ORLOV SAID, "AREN'T YOU ASHAMED TO INTERRUPT ME; AFTER ALL, THIS IS MY FINAL STATEMENT." HOWEVER, EVEN AFTER THIS HE WAS NOT ALLOWED TO SPEAK FREELY.

ORLOV WAS NOT ALLOWED TO FINISH EITHER HIS DEFENSE SPEECH OR HIS FINAL STATEMENT.

CONFIDENTIAL

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PAGE 02 MOSCOW 11374 02 OF 02 230858Z

AFTER THE JUDGE SATISFIED ORLOV'S REQUEST TO FREE THE LAWYER FROM FURTHER PARTICIPATION IN THE CASE, LAWYER YE. S. SHAL'MAN WAS REMOVED FROM THE HALL WITH BRUTE FORCE AND WAS ADMITTED AGAIN ONLY AFTER HE MANAGED TO TELEPHONE THE LEADERSHIP OF THE LAWYERS' COLLEGIUM.

AT THE CONCLUSION OF EVERY SESSION OF THE COURT, EVERYTHING WHICH HAPPENED WAS RECORDED IN DETAIL BY US FROM THE WORDS OF IRINA ORLOVA.

WE THEREFORE ASSERT THAT ORLOV'S TRIAL WAS NOT AN OBJECTIVE AND JUST EXAMINATION OF THE CASE, BUT DID VIOLENCE TO FREE THOUGHT AND EXPRESSION.

THE SIGNIFICANCE OF THE TRIAL OF YURIY ORLOV, LIKE THE EARLIER POLITICAL TRIALS AND THOSE OF HIS FRIENDS IN THE MOSCOW HELSINKI GROUP, PUBLICIST A. GINZBURG AND CYBERNETICIST A. SHCHARANSKIY, WHICH ARE EXPECTED TO TAKE PLACE IN THE NEAR FUTURE, EXTENDS FAR BEYOND THE BORDERS OF THE USSR.

THESE TRIALS BEAR DIRECTLY NOT ONLY ON QUESTIONS OF HUMAN RIGHTS, BUT ALSO ON THE MATTER OF DETENTE IN INTERNATIONAL RELATIONS.

WE CALL ON THE GOVERNMENTS AND HEADS OF STATE OF THOSE COUNTRIES WHICH SIGNED THE HELSINKI ACT, ON THE PUBLIC ORGANIZATIONS OF THESE COUNTRIES AND ON PRIVATE PERSONS, AND FIRST OF ALL WRITERS AND SCIENTISTS, TO SPEAK OUT IN DEFENSE OF YURIY ORLOV, IN DEFENSE OF THE HELSINKI MOVEMENT

AND THEREBY IN DEFENSE OF THE HELSINKI ACT ITSELF, WHICH
AFFIRMS THE INDIVISIBLE TIE BETWEEN QUESTIONS OF SECURITY
AND HUMAN RIGHTS.

CONFIDENTIAL

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PAGE 03 MOSCOW 11374 02 OF 02 230858Z

MEMBERS OF THE HELSINKI GROUP

YE. BONNER
S. KALISTRATOVA
M. LANDA
N. MAYMAN
V. NEKIPEROV
T. OSIPOVA
V. SLEPAK

M. GOD'DSHTEYN, MEMBER OF THE GEORGIAN HELSINKI GROUP
THE UNDERSIGNED FULLY SUPPORT THE STATEMENT OF THE "HELSINKI GROUP" REGARDING THE TRIAL OF PROF. YU. F. ORLOV:

A. SAKHAROV
I. NUDEL'
S. POLIKANOV
A. LAVUT
A. POLIKANOVA
I.8KOVALEV
YU. YARYM-AGAYEV
L. KOPELEV
V. KORNILOV. MATLOCK

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